

**REMARKS**

The Office Action mailed June 17, 2004 has been reviewed and carefully considered. Claims 7-18 have been added. Claims 1-18 are pending in this application, of which the independent claims are 1, 3, 7, 11, 13 and 17. Claims 1-4 have been amended. The added claims are apparatus and software claims analogous to method claims 1-6. Reconsideration of the above-identified application, as amended and in view of the following remarks, is respectfully requested.

Claims 1-6 stand rejected under 35 U.S.C. 103 as unpatentable over U.S. Patent 6,278,887 to Son et al. ("Son") in view of U.S. Patent 6,332,074 to Spitaletta et al. ("Spitaletta"). As mentioned in connection with the each of the three previous Office Actions, the patent number of the latter reference is misidentified in the Office Action, but the applicant presumes that the patent number supplied hereinabove is the intended one.

Claim 1, as amended, recites, "if the determination is that the SEND key has been activated, checking to determine whether a call has been established responsive to the activating of the SEND key; and if it is determined that the call has been established, deactivating the power supplied to the display."

Support for the amendment of claim 1 is found in FIG. 2, steps 205, 207, and in accompanying text in the specification.

Son, by contrast, merely discloses that determining that a SEND key has been activated (e.g., col. 8, lines 36-38).

Son fails to disclose or suggest the checking recited in claim 1 of the present invention, and fails to disclose or suggest the deactivating “if it is determined that the call has been established” recited in claim 1 of the present invention.

Spitaletta fails to make up for the shortcoming of Son.

For at least the above reasons, claim 1 distinguishes patentably over the applied references.

As to claim 3, as amended, it recites:

- b) if it is determined in step a) that the telephone has been used to set up the call, determining whether said call has been set up; and
- c) deactivating the power supplied to the display based on a determination in step b) that said call has been set up.

Support for the amendment of claim 3 is likewise found in FIG. 2, steps 205, 207, and in accompanying text in the specification.

Son fails to disclose or suggest the “determining” recited in claim 3 of the present invention, and fails to disclose or suggest the deactivating “based on a determination in step b) that said call has been set up” recited in claim 1 of the present invention.

Spitaletta fails to make up for the shortcoming of Son.

For at least the above reasons, claim 3 distinguishes patentably over Son.

As to the other rejected claims, each depends from a base claim that has been shown to be patentable and is likewise deemed to be patentable at least due to its dependency.

New claims 7-18 are apparatus and software claims analogous to method claims 1-6, and are therefore also regarded as patentable over the applied references.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

A check for \$264.00 ( $3 \times \$88.00 = \$264$ ) is enclosed in payment of the fee for the three new independent claims being added in excess of the three.


Amendment  
Serial No. 09/621,384

Docket No. 5000-1-110

In the event that any additional fee is required to continue the prosecution of this Application as requested, please charge such fee to Deposit Account No. 502-470. If the Examiner has any questions regarding this Application, it is respectfully requested that the Applicants' attorney of record be contacted at the below-noted telephone number.

Respectfully submitted,

CHA & REITER

  
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Date: November 17, 2004

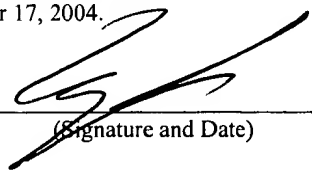
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